

August 17, 2010

**FIRST CLASS U.S. MAIL**

Armida Torres  
1275 La Crescenta Drive  
Chula Vista, California 91913

**NOTICE OF INTENT TO ENTER DEFAULT DECISION AND ORDER**

**Re: In the Matter of Armida Torres - FPPC No. 09/816**

Dear Ms. Torres:

Enclosed please find a courtesy copy of the Default Decision and Order, and accompanying Exhibit and attachments, in the above matter. The Fair Political Practices Commission ("Commission") will consider this matter at its public meeting on **September 9, 2010**, and decide whether to impose an administrative penalty in the amount of **\$4,000** or more against you.

You were previously served a Report in Support of a Finding of Probable Cause, commonly known as a probable cause report, advising you of your right to request a probable cause conference or submit a written response to the probable cause report. You did not request a probable cause conference, nor did you submit anything in writing for the Commission's Executive Director to consider in his determination of probable cause.

Following the issuance of a Report in Support of a Finding of Probable Cause, the Commission's Executive Director found probable cause that you committed one violation of the Political Reform Act<sup>1</sup> reporting provisions. Thereafter, the Executive Director issued an Accusation against you on the same violation. The Accusation was served on you by personal service on July 23, 2010. Under the law, you have, therefore, received adequate notice of these proceedings and the action filed against you. Under the

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<sup>1</sup> The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

Administrative Procedure Act<sup>2</sup>, you were required to file a Notice of Defense within 15 days after service of the Accusation. You failed to file the Notice of Defense Form within that time. As such, your right to an administrative hearing on this matter has been forfeited, and you are in a default position.

At its public meeting on **September 9, 2010**, the Commission will consider a total administrative penalty against you in the amount of **\$4,000** for two violations. However, the Commission may impose up to a maximum penalty of **\$5,000** per violation, for a total of **\$10,000**.

Following the issuance of the default order and imposition of the administrative penalty, we will commence legal proceedings to collect this fine, which may include converting the Commission's order to a court judgment. Please be advised that administrative penalties for violations of the Political Reform Act cannot be discharged in bankruptcy proceedings.

Our office will notify you regarding the disposition of this matter following the September 9, 2010, Commission meeting.

Sincerely,

Ty D. Moore  
Commission Counsel  
Enforcement Division

Enclosures

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<sup>2</sup> The California Administrative Procedure Act, which governs administrative adjudications, is contained in Sections 11370 through 11529 of the Government Code.